



SIGN CODE ADVISORY AND APPEALS BOARD

WEDNESDAY, December 16, 2009

LEGAL ACTION REPORT

1. Call to Order: 2:33 p.m.
2. **S-09-09, 10335 E. DREXEL ROAD; VALERO FUEL STATION/STORE #1655**

Chapter 3, Article VI, Signs by District; Scenic Corridor Zone District, Freestanding Sign Allowances, Section 3-82.E.3.b.2: Commercial or industrial uses: 20 square feet for 5 or fewer leasable spaces, or 40 square feet for 6 or more leasable spaces.

As proposed, the applicant's request requires the following variances to the Tucson Sign Code:

- 1) Section 3-82.B.1, to exceed the maximum allowed sign area of 100 square feet per premise, by 37.50 square feet, for an overall sign area of 135.70 square feet on the site.
- 2) Section 3-82.E.3.b.2, to exceed the maximum size of 20 square feet per freestanding sign per street front, by 17.50 square feet, on both freestanding signs proposed.

Mr. Jones made a motion to approve the requested variances with the staff's recommendation that through submittal/review/approval of a landscape plan from the Landscape Division of the Planning and Developments Services Department, the applicant enhances the 30' scenic buffer area along Houghton by re-establishing native vegetation through hydro-seeding and adding a few more native mesquite trees. Mr. Jones noted the fact that this is a unique property, the 55 mph speed limit, the existing vegetation, and the fact that Houghton Road is scheduled to be increased to 6 lanes of traffic, motion seconded by Mr. Shell. Motion fails 5-2.

DECISION – VARIANCE DENIED: The Board denied this case as presented due to the fact that the variance would result in a special privilege to the property.

3. **S-09-10, 3146 E. GRANT ROAD; \$3 DETAIL CENTER**

Chapter 3, Article VIII, Nonconforming Signs and Change of Use, Section. 3-97.A. Any nonconforming sign may continue to be utilized as long as the occupancy of the use within the structure remains the same. When a use

changes from one occupancy category to another, all signs shall be brought into conformance with the provisions of this chapter.

As proposed, the applicant's request requires the following variance:

- 1) To Section 3-97.A, to utilize the existing nonconforming pole sign on the site, despite change of occupancy class, without having to remove the sign or try to alter it to come into conformance with the Sign Code.

Mr. Hannley made a motion to deny the requested variance, seconded by Mr. Ayres. Motion passes 4-3.

DECISION – VARIANCE DENIED: The Board denied this case as presented due to the fact that the variance would result in a special privilege to the property.

4. **S-09-11, 5151 E. BROADWAY BOULEVARD; MULTI-TENANT COMPLEX**

Chapter 3, Article IV General Requirements, Sec. 3-42, Special permit to construct a sign as part of an integrated architectural feature of a building.

As proposed, the applicant's request requires the following:

- 1) A special permit to allow a sign to be integrated as an architectural feature of a building, per Chapter 3, Section 3-42.

Mr. Hannley made a motion to approve the special permit request with the following conditions:

1. Materials used for the signs are architecturally compatible with overall building materials and are architecturally compatible with the building design.
2. Large, native canopy trees are planted within the landscape border along the building front along Broadway, and allowed to remain at full canopy as submitted in the as-built.
3. Shrubbery/landscaping, i.e. vines, are made an integral part of the design to soften the continuous solid mass of the building and extend towards Broadway Boulevard.
4. The planting of vegetation shall be based upon the submittal/review/approval of a landscape plan at Planning and Development Services Department.
5. Signage subject to this application are limited to placement on Broadway frontage only, and no signs of this nature would be allowed on other building elevations, nor in the court yard off Broadway Boulevard.
6. The lettering of the signs subject to this application should be no taller than 18 inches.
7. Signage subject to this application may cover (in a linear measurement) no more than 75% of the linear length of each shade canopy.
8. Signage subject to this application may not extend above the parapet wall that supports the shade canopies.

The motion was seconded by Mr. Ayres. The motion passes 7-0.

DECISION – VARIANCE GRANTED WITH CONDITIONS: The Board grants this variance with conditions because there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additionally, the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.

5. Adjournment: 4:10 p.m.